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IN THE

SUPREME COURT OF THE UNITED STATES

October Term, 1965

No. 1268

ROBERT JOYCE,

Petitioner,

vs.

UNITED STATES OF AMERICA,

Respondent.

PETITION FOR A WRIT OF CERTIORARI TO THE
UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

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Opinions Below

The opinion of the Court of Appeals is not yet reported. It is printed in Appendix A, infra, p. 1a.

Jurisdiction

The judgment of the Court of Appeals was entered on February 28, 1966, (App. B, infra, p. 2a). The jurisdiction of this Court is invoked under 28 U.S.C. 1254(1).

Questions Presented

1. Whether an affidavit to justify the issuance of a search warrant must relate the object of the search to a permitted constitutional purpose.

Constitutional Provision

The Constitutional Provision is the Fourth Amendment to the United States Constitution which reads as follows:

> "The right of the people to be secure in their persons, houses, papers and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the person or things to be seized."

See also Rule 41, Fed. R. C.R.M. Procedure, 18 U.S.C.